

**COMMENTS**

The enclosed is responsive to the Examiner's Final Office Action mailed on January 14, 2003. A Request For Continued Examination (RCE) was filed concurrently with a Response and Amendment on April 14, 2003. A Notice of Non-Compliant Amendment was mailed to Applicant on May 5, 2003 in which a response was filed on May 29, 2003. An Office Action mailed on August 25, 2003 stated the reply filed on June 2, 2003 was not fully responsive. Applicant has amended claims 1, 16 and 26. Claims 29-33 have been renumbered 28 - 32. Claims 2-8, 17-25 and 27-32 are currently pending.

**REMARKS**35 U.S.C. § 102 Rejections

Claims 1-4, 6, 16-18, 26-28 and 30 stand rejected under 35 U.S.C. §102(b) as being anticipated by Miyagawa, et al, U.S. Patent No. 5,268,817 (hereinafter "Miyagawa"). Miyagawa discloses a portable computer with a rotatable display which may be adjusted to face either towards or away from the keyboard of the computer. As illustrated in Figure 16 of Miyagawa, when the display is oriented away from the keyboard, a user may enter data by writing on a transparent tablet covering the display with a pen.

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Applicant respectfully submits that the present set of claims are allowable over Miyagawa for several reasons. For example, unlike the pen in Miyagawa, the first and second groups of control elements recited in Claims 1 and 26 are integrated directly on the data processing device. In addition, when performing data entry, the pen in Miyagawa must be positioned within the area of the display. By contrast, in Claims 1 and 26, the first and second sets of control elements are positioned outside of the viewable area of the display. One exemplary embodiment of the claimed invention is illustrated in Figures 10a-c of the present application. As such, Miyagawa does not disclose features recited in Claims 1 and 26.

In addition, the motion of the display in Miyagawa is significantly different than the motion recited in Claim 16. For example, Claim 16 recites that the motion of the display from the first position to the second position occurs within a plane defined by the display area. One embodiment of this co-planar motion is illustrated in Figures 10a-c of the present application. No such co-planar motion is described in Miyagawa.

Accordingly, for the foregoing reasons, Applicant respectfully submits that Claims 1, 16 and 26 are allowable over Miyagawa. Moreover, because claims 2-8, 17-26 and 27-33 depend from Claims 1, 16 and 26, respectively and include additional features, Applicants further submit that these claims are also allowable over Miyagawa.

35 U.S.C. § 103 Rejections

Claims 17, 8, 20, 21, 31 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Miyagawa as applied to claims 1, 16 and 26 and further in view of Haneda, et al., U.S. Patent No. 5,900,848 (hereinafter Haneda). Haneda illustrates a tablet computer which operates in a similar manner to the computer of Miyagawa. The display of the computer may be rotated so that it either faces inward, as illustrated in Figure 4, or outward, as illustrated in Figure 5.

However, Haneda does not teach or suggest a first group of control elements and a second group of control elements integrated directly on a data processing device, wherein only the second group of control elements are exposed when the display is in a first position and wherein both groups of control elements are exposed when the display is in a second position as claimed in Claims 1 and 26.

Moreover, turning to Claim 16, Haneda does not teach or suggest that the motion of the display from the first position to the second position occurs within a plane defined by the display area. There is no suggestion of co-planar display motion in Haneda.

**CONCLUSION**

For the reasons set forth above, Applicant respectfully submits that the present set of claims are in condition for allowance. If the Examiner believes an additional telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Thomas C. Webster at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 9/4/03

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